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Structural Pluralism in Education: Can We Stop Fighting Over Schools?
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Introduction

Although we talk a lot about "school choice" in policy circles – and I'm as guilty as anyone – in fact it is nothing but a mechanism. Like most mechanisms, the value of school choice depends on how it is guided by policy-makers and employed by those who choose. Some years ago, I was asked at an in-service day for World Bank staff, "Is school choice a good thing or a bad thing?" and had the wit to reply simply, "Yes!"

Most school choices in the United States are neither novel nor guided by public policy. Is there any residential realtor who does not keep information about schools available for families choosing where to rent or buy? Eighteen decades ago Horace Mann complained, in his *Common School Journal*, about wealthy parents who preferred private academies. And when it comes to choice of schools outside of the areas where families live, ample evidence shows that it is upwardly mobile, working-class families who are most eager for such opportunities.

School choices that have not been guided by wise public policy but made simply on the basis of test scores, as with the "league tables" that play a large role in school choice in England, or of the desirable social characteristics (including race) of the pupils already attending the school, offer a glimpse of human nature at work not a strategy for improving the education of a nation.

Although such a situation may (or may not) have some effect on *instructional* outcomes through competition, it will do less than nothing for the deeper challenge of *education*, the formation of decent human beings and good citizens. This is what Mary Ann Glendon calls "a basic problem of politics – how to foster in the nation's citizens the skills and virtues that are essential to the maintenance of our democratic regime" (Glendon 1995, 2). As we will see, this requires challenging the long-dominant "myth of the common school" as the unique nursery of citizens.

Rationales for Parental Choice

Those who promote school-choice by policy rather than by residence suggest several rationales in support. One persuasive rationale is opening up school choice leads to a better match of children and the schools best suited to meet their needs. Another is that it permits schools to be focused and distinctive, and thus more effective. A third is that competition rewards effective schools and forces ineffective ones to close.

An even stronger rationale is that parents' choice about their children's education constitutes a

fundamental human right. After all, the *Universal Declaration of Human Rights* (1948) states, "Parents have a prior right to choose the kind of education that shall be given to their children" (article 26, 3). According to the *International Covenant on Economic, Social and Cultural Rights* (1966),

> ...the States Parties to the present Covenant undertake to have respect for the liberty of parents . . . to choose for their children schools, other than those established by public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions (article 13,3).

Closer to home, in 1925 the Supreme Court, in *Pierce v. Society of Sisters* (268 U.S. 510), struck down an Oregon law requiring all children to attend public schools until completion of the eighth grade, finding that this unjustly threatened the rights of private corporations (schools) to carry out their business and that it interfered with the right of parents to direct the education of their children. The Court pointed out that:

> the fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the state to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.

Legal Scholar John Coons made this case eloquently:

> [T]he right to form families and to determine the scope of their children's practical liberty is for most men and women the primary occasion for choice and responsibility. One does not have to be rich or well placed to experience the family. The opportunity over a span of fifteen or twenty years to attempt the transmission of one's deepest values to a beloved child provides a unique arena for the creative impulse. Here is the communication of ideas in its most elemental mode. Parental expression, for all its invisibility to the media, is an activity with profound First Amendment implications (Coons 1985, 511).

However, persuasive as these rationales may be individually and taken together, there is little evidence in this or in other countries that such rationales in themselves have led to the adoption of public policies promoting parental choice. Such arguments have not been able to overcome the entrenched resistance of the status quo of bureaucratically governed and monopolistic schooling, which draws upon a powerful combination of ideological convictions and material interests. Rather, we must look elsewhere to find the origins of school choice, where it has come to be a significant policy framework.

By contrast with the United States, every country in Western Europe (Italy is a partial exception) provides public funding for schools that are not operated by any level of government, including, notably, schools with a religious character. As I have shown elsewhere, these arrangements did not arise from principled arguments about the virtues of parental choice, but as a means of bringing to

a peaceful resolution decades of bitter political and cultural struggle (Glenn 2011). In the Netherlands, where such arrangements enable some seventy percent of pupils to attend non-government schools, this is referred to as the "Pacification" of 1917. Most democracies moved to diverse delivery of education in the 19th century; others, such as Sweden, in the latter part of the twentieth.

American Exceptionalism

One of the puzzles in comparative educational policy is why the United States has lagged so far behind other Western democracies, including our neighbor Canada, in promoting educational freedom. Why is it only in the last few years that American governments at different levels have begun to provide public support for alternative education based on our religious diversity?

Surely a large part of the answer is that, in contrast with other countries, our provision of schools has been in large part through local initiatives, with the states playing only a modest role and the federal government, none at all (apart from data collection and some vocational education initiatives) until recent decades. Conflict over the desire of many immigrant parents for Catholic schools was largely an urban phenomenon that did not touch the hundred thousand local school districts, and it occurred at a time when the national Republican Party, giving up on Reconstruction, found in anti-Catholicism a useful political issue (Glenn 2012).

Under these circumstances, the great majority of public schools were thoroughly acceptable to their local communities, sharing the prevailing values of those communities, including a generalized Protestantism that caused no offense to majoritarian sensibilities.

When public policies supporting parental choice of schools emerged in the United States, then, it was not in response to religious conflict, as in Europe, but neither was it because policy-makers were persuaded by the arguments for the educational benefits of school-choice policies. The development of magnet schools, "controlled-choice" assignments, and inter-district transfer programs were a politically acceptable way to meet race desegregation obligations without resorting to the mandatory assignments known polemically as "forced busing." The public school's vested interests were willing to accept this enhancement of the role of parents only because the alternative of social conflict became even more disruptive.

In the process, many of us came to see that urban schools that had been allowed to become distinctive in order to attract parents also became, in the process, more educationally effective because more focused. This was never an argument we could use, however, to convince local officials to implement magnet schools or "controlled choice" assignments, or to persuade teacher unions to accept them.

Structural Pluralism and Its Defense

Schools are seldom a source of controversy in other Western democracies. Even with extensive secularization, parents in these countries continue to demand diverse approaches and worldview perspectives within the publicly supported educational system, and an even-handed government oversight of different sectors of schooling, whether managed by government or by private

associations. This is what we are learning to call "structural pluralism" in policy arrangements, and "sector agnosticism" on the part of government (Garnett 2017).

Pluralism is not the same thing as "diversity," which is simply the unavoidable recognition that human beings vary in many different ways, significant and insignificant. Rather, pluralism implies the recognition that certain forms of difference constitute the basis for association within the larger social order and deserve some form of public accommodation because of their deep significance for those identifying with such associations. Religion, ethnicity, and (related to the latter) home language are perhaps the leading factors in pluralism, and there are few nations that have not wrestled with how to accommodate such pluralism while maintaining a sense of common identity and purpose. Schooling is only one of many sectors – though the most significant – in which such pluralism has been accommodated in the policies of the Netherlands and other countries. In the United States, by contrast, while such pluralism flourishes in civil society, it receives scant recognition or support in public policies.

Structural pluralism consists of legal and policy arrangements that provide space for coherent understandings of the human good to take institutional form, to flourish, to adapt to new circumstances, and to be transmitted to new generations and (in some cases) to adults who choose to associate themselves with the group. For centuries, of course, and still to a considerable extent, this occurs through civil society's institutions – families, religious and other voluntary associations, cooperative arrangements around shared goals – quite apart from any governmental guidance or support. In recent decades, however, the extent and variety of government interventions have made it difficult for these institutions to simply carry on without government recognition or support.

Under these conditions, structural pluralism cannot exist unless institutions and services that operate in parallel to those provided by government are provided with comparable public support. This has been the case in the United States with respect to hospitals, youth and elder services, higher education, and a whole range of other functions, but not with respect to K-12 schooling. The fundamental reason for the different treatment of schooling is the persistent "myth of the common school," the belief, contrary to all evidence, that only the public school forms loyal citizens (Glenn 2000).

Is the Public School Neutral?

But is it not possible that the United States has reached a point of fundamental conflict over cultural and religious issues, often focused on schooling, and that the pluralistic solution that serves other Western democracies well is now plausible? Perhaps it is time that schools be withdrawn from our cultural battlefields, with the sort of "pacification" that has served the Dutch and other democratic peoples.

Two relatively recent developments have converged in the United States to create conflicts over schooling that led to structural pluralism in education policies in other nations.

One is the weakening of the local character of public schools for a variety of reasons, including school-district consolidation from more than a hundred thousand to some fifteen thousand, and

the growing intrusion of state and federal governments in what is taught in public schools. Another is the growing alienation of a significant proportion of the population, on mingled cultural and religious grounds, from the values promoted by governing elites through media and the courts (Williams 2017). Since the Second World War, public schools have remained a focal point of such alienation; one need only mention the school prayer and Bible reading court rulings, controversies over sex education and other curricular impositions, and recent disagreements over use of bathrooms and locker rooms by transgender individuals. The public schools often serve as the transmission line through which such angry disputes reach into every community. In contrast with other Western democracies, the American public schools have been continuously roiled by controversy, often of an especially bitter quality. This has undoubtedly contributed to the ugly national mood so evident today.

In theory, of course, the possibility of conflict over values in schooling could be eliminated by making schools value-free, and something of this sort has been attempted in recent years in the United States. But of course there is no such thing as value-free schooling; in daily life and special assemblies, in unspoken assumptions, in what is rewarded and what is sanctioned, what is displayed and what is not, in how teachers talk about the students among themselves, every school has a culture that communicates itself irresistibly to students (Wynne & Ryan 1986). Some public schools also have a deliberately-chosen ethos, often the work of a charismatic leader over many years, that is shared by the teachers and shapes the culture of the school in all of its particulars.

The Civic Republican project dear to Horace Mann and his many allies in the United States and elsewhere in the nineteenth century sought to shape loyal citizens through schooling under the supervision of, if not direct management by, government officials. At the heart of the education provided by public schools was what Robert Bellah called a "civil religion," others "the democratic creed," though it has gone by many other names as well. In the United States, it was tinctured with a generic Protestantism, the credibility of which has eroded drastically since the 1960s.

Although we should not generalize about many thousands of public schools, it is fair to say that the prevailing orthodoxy among those who write about the goals of schooling, those who train teachers, and those who shape the "discourse" about teaching, is that schools should above all promote critical thinking, autonomy, and liberation from inherited beliefs and values, in a process of self-creation and authenticity. Thus, "educational theory as taught in colleges of education, championed by superintendents, and accepted by teachers, has witnessed profound shifts in the dominant understanding of the child and the telos of education. The child is no longer seen as existing within larger relationships that inspire, demand, and constrain, but rather as an autonomous entity who bears the burden of self-creation" (Berner & Hunter 2014, 202).

Today's public school students are still exposed to many of the facts and even documents that were the staple of what has been called the Civic Republican education program, but now these are used by the progressive curriculum as opportunities to develop critical judgment, to speculate about motivation, and to uncover hypocrisy. There is nothing wrong with critical judgment, of course, but the danger is that students become cynical about the accumulated wisdom of their society and their culture, not to speak of their families.

The shallowness of such an educational goal has never been expressed better than by the late Christopher Lasch, who wrote that, in the contemporary liberal view, "How should I live?. . . becomes a matter of taste, of idiosyncratic personal preference." But this is not adequate, Lasch insists. "The question of how one ought to live requires us to speak of impersonal virtues like fortitude, workmanship, moral courage, honesty, and respect for adversaries." Democracy, Lasch insists, "requires a more invigorating ethic than tolerance. Tolerance is a fine thing, but it is only the beginning of democracy, not its destination. In our time democracy is more seriously threatened by indifference than by intolerance or superstition" (Lasch 1995, 87, 89).

Ironically enough, given the liberal elite's scorn for American consumer culture, this emphasis on autonomy is thoroughly consistent with and encourages a lifestyle based on consumerism with no fixed goals. In what philosopher Charles Taylor has called the Age of Authenticity, the only obligation of the fulfilled human life is "bare choice as a prime value, irrespective of what it is a choice between, or in what domain." The corollary of this defining value is the obligation to respect the choices that others make; thus the only "sin which is not tolerated is intolerance" (Taylor 2007, 478, 484).

The Paradox of Autonomy

The most striking aspect of the emphasis, by education theorists, on autonomy and unconstrained choice is its intolerance: it is not itself represented as a choice. In the spirit of Rousseau's *Contrat Social*, every child will be forced to be free, will be under a compulsion to become autonomous. Thus Meira Levinson asserts unapologetically that "[f]or the state to foster children's development of autonomy requires coercion – i.e., it requires measures that prima facie violate the principles of freedom and choice. . . .The coercive nature of state promotion of the development of autonomy also means that children do not have the luxury of 'opting out' of public autonomy-advancing opportunities in the same way that adults do." Nor should this educational objective of autonomy itself be subject to public debate, since, she insists, it is a fundamental premise of the liberal state which is not open to question (Levinson 1999, 38-9, 139).

Political scientist William Galston stresses the partisan nature of such "Comprehensive Liberalism" and the threat that its ascendancy poses to traditional communities, since "liberalism is not equally hospitable to all ways of life or to all subcommunities. Ways of life that require self-restraint, hierarchy, or cultural integrity are likely to find themselves on the defensive, threatened with the loss of both cohesion and authority." As a result, Galston points out, "the more one examines putatively neutral liberal principles and public discourse, the more impressed one is likely to become by their decidedly nonneutral impact on different parts of diverse societies. Liberalism is not and cannot be the universal response, equally acceptable to all, to the challenge of social diversity. It is ultimately a partisan stance" (Galston 1991, 293, 297). No wonder that religious organizations and individuals who take their beliefs seriously sometimes feel under attack in this allegedly tolerant society.

The focus on giving the greatest possible scope to assertions of individual preferences across a wide range of areas, and the identification of individual autonomy as synonymous with personal

authenticity, have crowded out the concerns that animated previous generations of liberals as well as reformers like Horace Mann and his allies. "Not long ago liberals thought of themselves as advancing a governing philosophy based on strong principles and firm convictions. Today liberalism can't appeal to strong, robust moral truths, at least not overtly, for they threaten the dictatorship of relativism and therefore compromise the goal of lifestyle liberation" (Reno 2012, 6). Not only are contemporary liberals reluctant to invoke norms and goals that were taken for granted by their predecessors, but they often support policies that undermine institutions of civil society that have traditionally nurtured such norms and striven to achieve such goals. Peter Berkowitz warns that

> …the operation and maintenance of liberal democracy – that form of democracy in which the will of the people is grounded in and limited by individual rights – depend upon the exercise or moral and intellectual virtues that, according to liberalism's own tenets, fall outside its strict supervision, and that it not only does not always effectively summon but may even discourage or undermine (Berkowitz 1999, 6).

The invitation, experienced by many children and youth in America's public schools, to put together an identity and a code of behavior that are idiosyncratic, radically personal, cobbled together from randomly-chosen elements attractive for a variety of reasons, is likely to produce very unstable results. Galston points out that, contrary to all the warnings by comprehensive liberals about the indoctrination of children by families and religious institutions, and the insistence that public schools have an obligation to liberate them from this oppression, in fact

> [t]he greatest threat to children in modern liberal societies is not that they will believe in something too deeply, but that they will believe in nothing very deeply at all. . . . Rational deliberation among ways of life is far more meaningful if (and I am tempted to say *only if*) the stakes are meaningful, that is, if the deliberator has strong convictions against which competing claims can be weighed. The role of parents in fostering such convictions should be welcomed, not feared (Galston 1991, 255).

David Steiner offers the same warning is slightly different terms: "It is a fine line, indeed, between teaching mutual respect and inculcating universal apathy, and a large constituency argues that the schools have crossed it" (Steiner 1994, 8).

Those who support structural pluralism in schooling do not challenge the right of teachers to seek to promote individual autonomy and self-definition at the expense of group loyalties and inherited convictions about the nature of a flourishing life, or of parents who desire such an education for their children to choose schools that claim to provide it. What they challenge is the use of that claim to prevent other schools from providing, and parents from choosing, a distinctly different education.

But if public policy is to enforce the educational prescription that every child should be educated for autonomy for his or her own sake as well as for that of society and the liberal state, then it is evident that non-public schools would have to be required to conform their goals and practices to those of public schools. "As a result," Levinson insists, "schools should not attempt to advance or to shape themselves in accordance with fundamental or divisive conceptions of the good; rather, all

schools must be structured as autonomy-promoting communities which are 'detached' from local and parental control." The inevitable result would be that "there would in practice be little if anything to distinguish private schools from state schools – which is exactly the way it should be. "Faith-based schools, in particular, would have no place in such a scheme, since religion provides a "socially divisive conception of the good" and thus "religious schools would violate the liberal educative aims of commonality, autonomy, and citizenship" (Levinson 1999, 144-5, 158).

There would thus be no room for the autonomy and distinctiveness of schools. Since only one model of human flourishing could be promoted in schools, that of individual autonomy, it would be necessary for the state to insist that every school, whether operated by local government or by private association, make that its defining mission.

Amy Gutmann, in what is intended as a gesture toward pluralism, proposes that a "better alternative to prohibiting private schools would be to devise a system of primary schooling that accommodates private religious schools on the condition that they, like public schools, teach the common set of democratic values" (Gutmann 1987, 117), through the discussion of every issue without appeal to religious or other authority. With equal "generosity," James Dwyer, in detailing the deplorable effects of religious schools, concedes that they *may* be permitted as an alternative, but only if they conform themselves to public schools through abandoning such "harmful practices" as "compelling religious expression and practice, teaching secular subjects from a religious perspective . . . and making children's sense of security and self-worth depend on being 'saved' or meeting unreasonable, divinely ordained standards of conduct" (Dwyer 1998, 159).

Here we come upon an apparent paradox: if the goal of schooling is to nurture *individual* autonomy in this self-referential form, then *school* autonomy is not important. What the latter seeks to serve is group identities, shared values, communities that distinguish themselves by loyalty to one another and, in many cases, to a tradition and a set of religious beliefs which they consider of fundamental importance. As Adam Seligman reminds us, "This idea of moral autonomy . . . is contested by billions of church, mosque, temple, and synagogue goers the world over. For these religiously committed individuals, people are not morally autonomous, but, rather, live under heteronomous-enacted and revealed laws. The secular, liberal claims for moral autonomy are not then as neutral as they present themselves to be" (Seligman 2014, 14). Of course, this pushes against not only religiously but also philosophically and pedagogically distinctive schools that seek to introduce children to a distinctive cultural tradition and understanding of the good life.

Comprehensive liberalism has no patience with what it represents as constraints on individual flourishing. Schools that set out to liberate their students from "white privilege," from "heteronormativity," and from religious and other traditions, and to promote "global consciousness" in place of a mis-guided nationalism, are certain to offend some proportion of the families who have little choice but to entrust their children to what they consider a hostile environment. This is a formula for the sort of deep-rooted cultural conflict that other Western democracies, often after decades of political conflict, were able to pacify by adopting pluralism as the basic structure for schooling.

Of course, structural pluralism in education would leave ample room for schools seeking to promote individual autonomy for the children of families who choose that educational goal, but only as one among a variety of options. It would remove the major source of conflict plaguing American public schools, and one of the contributing causes of America's sadly-divided public today.

> Educational pluralism offers a way out of these conflicts – over what education is for, who the child is, and what role teachers and schools should play – since it refuses to privilege one view over another. Instead of progressive and traditionalist educators competing for ideological dominance, they can populate and influence schools that want their particular approach. Instead of pretending to be ideologically neutral, public schooling could offer parents a variety of choices that reflect their beliefs and their children's pedagogical needs. In short, educational pluralism opens up this conversation in a way that purported neutrality and uniformity cannot. Educational pluralism is not only more honest about the formational nature of education and the deep differences between pedagogical approaches, but the political philosophy that supports it and the institutions it generates are more democratic than our present system (Berner 2012, 41).

Making Structural Pluralism Work in Practice

A Belgian colleague (an authority on human rights) and I published, in 2012, the third edition of our four-volume reference work on how 65 different national education systems balance competing demands: the right of parents to direct the education of their children through choice, the right of educators to work together to create and maintain distinctive schools reflecting their convictions about how best to educate, and the responsibility of society to ensure that every child is adequately instructed in the knowledge and skills required for a successful life in that particular society (Glenn & De Groof 2012).

Two generalizations may be drawn from this survey relevant to the question of how to implement structural pluralism in education. One is that every country seeks to monitor the results and, to a substantial degree, the content of *instruction* in skills and knowledge which each school provides. In some cases, there is a national syllabus of required content that private as well as public schools are required to follow. In others, this is not imposed upon private schools, but they tend to follow it to ensure successful results on external examinations.

Instruction in skills and knowledge is, of course, an essential part of schooling, and whether it is done well or badly can have life-long consequences. It is not, however, the only mission of good schools. They also *educate*, shape the character, values, life goals, and loyalties of their students. Good schools do so, but many schools do not, including some that produce acceptable results from *instruction*.

The good school is, by its essential nature, a moral community within which adults accept and share responsibility for guiding children or youth toward adulthood, both by instructing them and also by educating them. In the latter mission the school is analogous to, though not identical with, the family.

It is over the determination of goals for education, and assessment of the adequacy of the education provided, that most conflict arises. Such conflict is avoided when wise policies exist to protect the distinctive character of schools, their religious or philosophical orientation and its implications for school life. Dutch law protects the *richting* of a school; every school must meet *instructional* expectations or face intervention by the government inspectorate, but government may not dictate its fundamental orientation and how that is expressed in the *education* provided. Spanish policy protects the *ideario* of the school, French policy its *caractère propre*.

In countries with pluralistic school systems, these terms are usually applied only to non-public schools, with the implicit assumption that public schools are simply neutral and have no business promoting character and a distinctive worldview. This has led to interesting debates about whether non-public schools have an unfair quality advantage because of their ability to be focused around a clear mission (Braster 1996). Indeed, studies in several countries have suggested that this focus accounts for the superior academic outcomes of many faith-based schools. After all, "[i]t should not be a surprise that schools encouraged to be everything for everybody have found it difficult to be exceptionally good at anything" (Hess 2010, 101).

The good school that engages with settled intention to provide both effective *instruction* and character-forming *education* to the pupils entrusted to it by their parents is thus accountable both to society in general and to families though along different dimensions of its mission. Society, through government, has every right to require adequate *instructional* outcomes so as to ensure that every child has a fair opportunity in life. It is not society's right, however, to prescribe the *educational* dimensions of the school's mission: how it shapes the character and convictions of its pupils. That, in a pluralistic democracy, is for parents to determine by their choice of schools.

Public policies supporting structural pluralism in school systems are capable not only of reducing significantly the cultural and political conflict so evident today, but also permit schools to be more effective in developing character and citizenship by encouraging them to organize school life around a coherent and distinctive mission.

Opponents of allowing publicly funded schools to be autonomous and, in some cases, to have a religious character, often argue that the effect of such policies will be to further divide society. They have been arguing that for nearly two hundred years, only to be proved wrong again and again by actual experience. Most other nations with advanced levels of universal schooling provide such public support, with no evident harm to their social fabric and with considerably less conflict over schooling than occurs in the United States. Surely the time has come for a similar American "pacification," through adoption of principled pluralism as the fundamental structure of our education system.

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